

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

DAVID PASIAK,	)	
	)	
Plaintiff	)	Civil Case No.
v.	)	6:16-CV-01376-YJM-TWD
	)	
ONONDAGA COMMUNITY COLLEGE,	)	
KATHLEEN CRABILL and DAVID MURPHY	)	<b><u>AFFIDAVIT OF</u></b>
Defendants.	)	<b><u>KATHLEEN CRABILL</u></b>
	)	<b><u>IN OPPOSITION TO</u></b>
	)	<b><u>INTERVENTION</u></b>

KATHLEEN CRABILL, Defendant and President of Defendant Onondaga Community College, declares as follows under penalty of perjury pursuant to 28 U.S.C. § 1746(2):

1. I am a defendant in this case both personally and as President of Defendant Onondaga Community College.
2. I make this Affidavit in opposition to the motion by Intervenor Advance Media New York.
3. As President of Onondaga Community College I have the legal responsibility to oversee the operations of the College including the authority to make decisions regarding litigation against the College.
4. As such, my authority is subject to New York State Law and Regulations that includes oversight by a Board of Trustees of appointed officials.
5. In the instant case, I have been in close contact with our attorneys and made the strategic decisions regarding the conduct and settlement of the case.

6. I am constrained in my words in this Affidavit because of our contractual obligation of confidentiality, although I can provide the details to follow, much of which is in the Court record.
7. A settlement in principle was reached among the parties during a conference with Magistrate Therese Wiley Dancks on September 28, 2017. However, committing that to writing was not a simple process and not completed until all parties had signed. I signed on December 12, 2017.
8. From the beginning and throughout the settlement negotiations confidentiality was and is an integral part of the agreement for all parties. Contrary to the allegations, assumptions and speculation in the press, and allegations in the court papers of Advance Media, confidentiality was assumed from the beginning by all parties.
9. The Confidentiality Stipulation and Order was signed by the Magistrate on December 11, 2017, before the Agreement was finalized.
10. No College policy regarding discrimination has been changed or contemplated to be changed related to this matter.
11. Statements that I have acted irresponsibly or without due regard for the best interests of the College, its students and the taxpayers are unfounded and deeply offensive to me both personally and professionally.
12. I declare that the above statement is true and correct under penalty of perjury pursuant to 28 U.S.C. § 1746(2). Executed on March 19, 2018.

s/Kathleen Crabill  
Defendant and President  
Onondaga Community College

